

LATHAM & WATKINS

ATTORNEYS AT LAW

PAUL R. WATKINS (1899-1973)
DANA LATHAM (1898-1974)

1001 PENNSYLVANIA AVE., N.W., SUITE 1300
WASHINGTON, D.C. 20004-2505
TELEPHONE (202) 637-2200

FAX (202) 637-2201

TLX 590775

ELN 62793269

CHICAGO OFFICE

SEARS TOWER, SUITE 5800
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 876-7700
FAX (312) 993-9767

LONDON OFFICE

ONE ANGEL COURT
LONDON EC2R 7HJ ENGLAND
TELEPHONE + 44-171-374 4444
FAX + 44-171-374 4460

LOS ANGELES OFFICE

633 WEST FIFTH STREET, SUITE 4000
LOS ANGELES, CALIFORNIA 90071-2007
TELEPHONE (213) 485-1234
FAX (213) 891-8763

MOSCOW OFFICE

113/1 LENINSKY PROSPECT, SUITE C200
MOSCOW 117198 RUSSIA
TELEPHONE + 7-503 956-5555
FAX + 7-503 956-5556

NEW JERSEY OFFICE

ONE NEWARK CENTER
NEWARK, NEW JERSEY 07101-3174
TELEPHONE (201) 639-1234
FAX (201) 639-7298

NEW YORK OFFICE

885 THIRD AVENUE, SUITE 1000
NEW YORK, NEW YORK 10022-4802
TELEPHONE (212) 906-1200
FAX (212) 751-4864

ORANGE COUNTY OFFICE

650 TOWN CENTER DRIVE, SUITE 2000
COSTA MESA, CALIFORNIA 92626-1925
TELEPHONE (714) 540-1235
FAX (714) 755-8290

SAN DIEGO OFFICE

701 "B" STREET, SUITE 2100
SAN DIEGO, CALIFORNIA 92101-8197
TELEPHONE (619) 236-1234
FAX (619) 696-7419

SAN FRANCISCO OFFICE

505 MONTGOMERY STREET, SUITE 1900
SAN FRANCISCO, CALIFORNIA 94111-2562
TELEPHONE (415) 391-0600
FAX (415) 395-8095

March 12, 1996

RECEIVED

MAR 12 1996

William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

RECEIVED
FEDERAL COMMUNICATIONS COMMISSION
MAR 12 1996

DOCKET FILE COPY ORIGINAL

Re: Amendment of Section 73.606(b), Table of Allotments,
TV Broadcasting Stations (Kearney, Nebraska)

Dear Mr. Caton:

Enclosed please find an original and four copies of a Petition for Rulemaking on behalf of Citadel Communications, L.L.C. in the above referenced matter. Pursuant to Section 1.419 of the Commission's Rules, two copies are to be distributed to the Mass Media Bureau and one copy to the Information Office, and two copies are to be retained by the Secretary.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Steven H. Schulman*
of LATHAM & WATKINS

Enclosure

*Admitted in Maryland only

No. of Copies rec'd
List ABCDE

024

MWB

ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.606(b),)
Table of Allotments,)
TV Broadcast Stations (Kearney, Nebraska))

RECEIVED

MAR 12 1996

PETITION FOR RULEMAKING

DOCKET FILE COPY ORIGINAL

CITADEL COMMUNICATIONS, L.L.C.

Eric L. Bernthal
Kevin C. Boyle
Steven H. Schulman
LATHAM & WATKINS
1001 Pennsylvania Ave., NW, Suite 1300
Washington, D.C. 20004
Its Attorneys

Dated: March 12, 1996

In the Matter of)
)
Amendment of Section 73.606(b),)
Table of Allotments,)
TV Broadcast Stations (Kearney, Nebraska))

Citadel Communications, L.L.C. ("Citadel") hereby requests that the Commission amend the Table of Allotments for TV Broadcast Stations, Section 73.606(b) of the Commission's Rules, to specify Channel 20+ as a new commercial assignment at Kearney, Nebraska.

1. The community of license of KCAN has been changed from Albion to Lincoln, and Channel 24 has been allotted to Albion to allow Citadel to build a station to replace KCAN in that community. *See Citadel Communications Company, Ltd.*, 10 F.C.C. Rcd. 11910 (1995).

The allotment is consistent with the Commission Rules. In particular, it complies with the minimum separation requirements, the Temporary Freeze Order, and other coordination and interference rules. See Technical Statement of du Treil, Lundin & Rackley, Inc., attached hereto as Exhibit A.

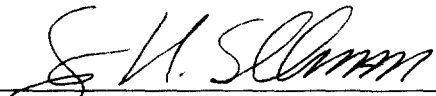
Accordingly, pursuant to Section 1.401 of the Commission's Rules, Citadel respectfully requests that the Commission amend the TV Table of Allotments, Section 73.606(b), as follows:

	<u>Present</u>	<u>Proposed</u>
Kearney, Nebraska	13(0)	13(0), 20+

If the allotment is made, Citadel will apply for a construction permit specifying use of the allotted channel and, upon grant of that permit, will promptly construct the proposed station.

Respectfully Submitted,

CITADEL COMMUNICATIONS, L.L.C.

By: 
Eric L. Bernthal
Kevin C. Boyle
Steven H. Schulman*
LATHAM & WATKINS
1001 Pennsylvania Ave., NW, Suite 1300
Washington, D.C. 20004
Its Attorneys

Dated: March 12, 1996

*Admitted in Maryland only

EXHIBIT A

Technical Statement
Petition for Rulemaking
Citadel Communications, L.L.C.
TV Channel 20
Kearney, Nebraska

TECHNICAL STATEMENT
PETITION FOR RULEMAKING
CITADEL COMMUNICATIONS, LLC
TV CHANNEL 20
KEARNEY, NEBRASKA

This technical statement and associated exhibits have been prepared on behalf of Citadel Communications, LLC (herein after "Citadel"), in support of a Petition for Rulemaking to amend Section 73.606(b) of the Federal Communications Commission (FCC) rules; the TV Table of Allotments. It is proposed to allot Channel 20 as a new commercial assignment to Kearney, Nebraska.

Kearney is located in the south-central portion of the State of Nebraska. It is an incorporated city in Buffalo County. According to the 1990 US Census, the population of Kearney is 24,396 people.

Proposed Change in TV Table of Allotments

Commercial Channel 13 is the only TV allotment to Kearney. It is presently being used by station KHGI-TV. The proposed allotment of Channel 20 to Kearney will enable the second TV allotment to the city. Specifically, it is proposed to amend the TV Table of Allotments, Section 73.606(b) of the Commission's Rules, as follows:

	<u>Present</u>	<u>Proposed</u>
Kearney, Nebraska	13(0)	13(0), 20(+)

Page 2
Kearney, Nebraska

Compliance With FCC Rules

Figure 1 is an allocation study for Channel 20 at the Kearney city reference point. Figure 2 is a map showing the area to locate a transmitter site for Channel 20 in compliance with the FCC's minimum separation requirements. The map shows the city limits of Kearney and the reference point. As demonstrated by Figures 1 and 2, Channel 20 can be allotted to Kearney.

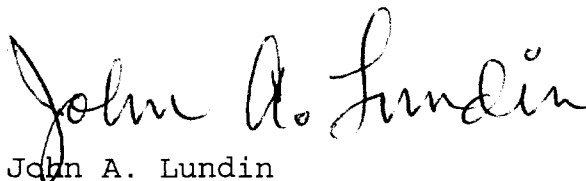
Kansas City, Missouri is the closest market contained in the FCC's 1987 list of TV markets temporarily frozen from new TV allotments due to the advanced TV proceeding. The applicable freeze distance is 280.8 kilometers, the minimum required co-channel UHF television separation in Zone II. The Kearney city reference point is 424 kilometers from Kansas City. Hence, the proposed allotment of Channel 20 to Kearney is not precluded by the FCC's Temporary Freeze order.

The closest point of the Canadian border is 922 kilometers to the north. The closest point of the Mexican border is 1194 kilometers to the southwest. The closest point of the National Radio Quiet Zone (VA/WA) is 1588 kilometers to the east. The closest point of the Table Mountain Radio Quiet Zone (CO) is 523 kilometers to the west. These distances are considered sufficient to not be a coordination or interference concern.

Page 3
Kearney, Nebraska

Conclusion

Channel 20 can be allotted as a new commercial assignment to Kearney, Nebraska in compliance with the FCC's rules.

A handwritten signature in cursive script that reads "John A. Lundin". The signature is written in dark ink and is positioned above the printed name.

John A. Lundin

du Treil, Lundin & Rackley, Inc.
240 N. Washington Blvd., Suite 700
Sarasota, Florida 34236
(941) 366-2611

March 5, 1996

Figure 1

TECHNICAL STATEMENT
 PETITION FOR RULEMAKING
 CITADEL COMMUNICATIONS, LLC
 TV CHANNEL 20
 KEARNEY, NEBRASKA

TV SEPARATION STUDY

Job Title :Kearney, Nebraska
 Zone : 2
 Channel 20 (506-512 MHz)

Separation Buffer 100 km
 FCC TV DB Date : 02/01/96
 Coordinates : 40-41-58 99-04-52

Call Status	City State	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KTVG CP MOD	GRAND ISLAND NE	BMPCT-940914KG	17(o) II	1860 DA 187	40-43-43 98-34-12	85.5	43.32	31.4 CLOSE
KTVG LIC	GRAND ISLAND NE	BLCT-930402KK	17(o) II	105 DA 60	40-51-14 98-26-06	72.3	57.19	31.4 CLEAR
KSMN CP	WORTHINGTON MN	BPET-890719KE	*20(o) II	1260 DA 332	43-53-52 95-56-50	34.9	439.32	280.8 CLEAR
REQUEST WAIVER OF THE FREEZE; CALL SIGN CHANGED FROM KMSW EFF.								
ALLOC.	ALBION NE	-	*21(+) II	0	41-41-30 98-00-00	39.0	142.72	87.7 CLEAR
ALLOC.	PHILLIPSBURG KS	-	*22(-) II	0	39-45-24 99-19-16	191.1	106.67	31.4 CLEAR

** End of TV Separation Study for Channel 20 **

